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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,608	12/13/2005	Toshiyuki Ueda	UEDA7	6374

1444 7590 05/16/2007
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WASHINGTON, DC 20001-5303

EXAMINER

BLEASE, CONRAD R

ART UNIT	PAPER NUMBER
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2879

MAIL DATE	DELIVERY MODE
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05/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/539,608

Applicant(s)

UEDA ET AL.

Examiner

Conrad R. Blease

Art Unit

2809

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/13/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-15 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

Detailed Action: Restriction

1. Applicant's election with traverse filed on 4/13/2007 is acknowledged. The traversal is on the grounds that the restriction was based on standard restriction practice as opposed to the applicable PCT rules. This is found to be persuasive and the examiner both respects and appreciates the applicant's diligence.
2. The original restriction requirement is deemed improper and is therefore removed. However, the original restriction is replaced with a restriction in accordance with the applicable PCT rules. In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.
3. This application contains the following inventions or groups of inventions, which are not so linked as to form a single general inventive concept under PCT Rule 13.1
 - I. Group 1, claims 1-2 & 6-15, drawn to a shadow mask material and uses for that material.
 - II. Group 2, claims 3-5, drawn to a process for manufacturing a shadow mask material.
4. The inventions listed as Groups 1 & 2 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

Art Unit: 2809

The supposed "special" technical feature of Group I is the shadow mask material of Claim 1 and that is fully shown in JP 3287257 B2 (NKK Corp.) as explained by the Japanese examiner who wrote the ISR. Likewise, supposed "special" technical feature of the Group II invention are the specific process steps which make the shadow mask material of Group I and they are shown to be rendered obvious by a combination of JP 3287257 B2 and AU 1521402 A (TOYO KOHAN Co., Ltd.).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Conrad R. Blease whose telephone number is 571-270-1735. The examiner can normally be reached between 10am and 6pm, Mondays through Thursdays. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bruce, can be reached Monday through Thursday at 571-272-2487. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Conrad Robert Blease



DAVID BRUCE
SUPERVISORY PATENT EXAMINER